

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION OF THE APPLICATION OF)	
THE FUEL ADJUSTMENT CLAUSE OF)	CASE NO.
KENTUCKY UTILITIES COMPANY FROM)	2016-00003
MAY 1, 2015 THROUGH OCTOBER 31, 2015)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On February 19, 2016, Kentucky Utilities Company ("KU") moved pursuant to KRS 61.878(1)(c) and 807 KAR 5:001, Section 13, that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its motion, KU states that the information it is requesting to be held confidential is contained in its responses to Items 12, 19, and 20 in the Appendix to the Commission's Order dated February 5, 2016 ("Responses"). The information is more particularly described as coal price settlement agreement and coal bid analysis information. KU states that the information contains materials that if publicly disclosed would likely result in competitive injury to the KU, and therefore is generally recognized as confidential and exempt from public disclosure pursuant to KRS 61.878(1)(c) and 807 KAR 5:001, Section 13.

Having carefully considered the petition requesting confidential treatment and the materials at issue, the Commission finds that the materials contained in KU's Responses meet the criteria for confidential protection as set forth in KRS 61.878(1)(c),

and should not be placed in the public record for a period of five years from the date of this Order, or until further Orders of this Commission.

IT IS THEREFORE ORDERED that:

1. KU's petition for confidential protection for its Responses is hereby granted.

2. The materials granted confidential protection will not be placed in the public record or made available for public inspection for a period of five years from the date of this Order, or upon further Orders of this Commission.

3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. KU shall inform the Commission if the materials granted confidential protection become publicly available or no longer qualify for confidential treatment.

5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, KU shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If KU is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow KU to seek a remedy afforded by law.

By the Commission

ENTERED
JUL 18 2016
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2016-00003

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